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U.S. Department
of Transportation
**Research and
Special Programs
Administration**

DEPT. OF TRANSPORTATION
DOT/ELFS

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400 Seventh St., S.W.
Washington, D.C. 20590
MAY 31 2002

Dr. Jack Helms
Advisor, Transportation
Albemarle Corporation
451 Florida Street
Baton Rouge, LA 70801

Dear Dr. Helms:

This is in response to your letter of April 11, 2002 requesting an administrative change to DOT-E 12124. This exemption authorizes the transportation of certain Division 4.2 and 4.3 materials in non-specification portable tanks.

The changes you requested are incorporated into DOT-E 12124 6th revision (copy enclosed). If you wish to discuss these changes further, please contact Diane LaValle of my staff at 202 366-4535.

Sincerely,

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials Exemptions
and Approvals



MAY 31 2002

DOT-E 12124
(SIXTH REVISION)

EXPIRATION DATE: September 30, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Albemarle Corporation
Baton Rouge, LA
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain Division 4.2 and Division 4.3 materials in a non-DOT specification portable tank comparable to a specification DOT 51 portable tank. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242 in that a non-DOT specification portable tank is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Albemarle Corporation dated September 15, 2000, submitted in accordance with § 107.109, and additional letters dated January 25, 2001, July 24, 2001, and April 11, 2002.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Organometallic compound, water-reactive, flammable, n.o.s.	4.3	UN3207	I
Pyrophoric organometallic compound, solid, water-reactive, n.o.s.	4.2	UN3203	I
Pyrophoric solid, inorganic, n.o.s.	4.2	UN3200	I
Water-reactive solid, corrosive, n.o.s.	4.3	UN3131	I
Water-reactive solid, n.o.s.	4.3	UN2813	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging is a non-DOT specification stainless steel portable tank conforming to the configuration and dimensions shown in Albemarle Drawings D-ALB.PROD.CON, Rev 0 dated October 20, 1998 and 9699-1 Revised on file with the Office of Hazardous Materials Exemptions and Approvals. The portable tank has the following features:

- (1) a minimum wall thickness of 9.5 mm (0.375 in);
- (2) a maximum allowable working pressure of 8.62 bar (125 psig);
- (3) a capacity not to exceed 880 liters (232 gallons);
- (4) a cone-shaped funnel bottom with a bottom discharge fitted with a block valve that may have an eductor fitted to the inlet side of the valve;
- (5) a maximum loading or discharge pressure of 3.5 bar (50 psig); and
- (6) a spring loaded pressure relief valve set at 8.62 bar (125 psig).

In addition, the portable tank must conform with specification DOT 51 (§ 178.245), including ASME certification and "U" stamp, except as follows:

(1) § 178.245-1(c). The tank has a bottom discharge fitted with a block valve that may have an eductor fitted to the inlet side of the valve in addition to openings on the top of the tank.

(2) § 178.245-1(d)(4). The portable tank is not mounted in a full framework for containerized transport and the bottom discharge is not fitted with an internal self-closing stop-valve.

(3) § 178.245-7(a). The line on the name plate which reads "DOT Specification No." must be marked "DOT-E 12124".

b. TESTING - Each portable tank must be tested and periodically requalified as required for a DOT Specification 51 steel portable tank. Minimum test pressure is 12.93 bar (187.5 psig).

c. OPERATIONAL CONTROLS -

(1) Bottom outlets must be closed with two devices during transportation. A discharge valve provides the first device. The secondary device may be a blind flange, a threaded plug or a camlock cap.

(2) A dry nitrogen blanket of 0.7 bar (10 psig) must be applied to the lading during transportation.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. This exemption serves as a Competent Authority Approval (CA-9812012), issued by the Associate Administrator for Hazardous Materials Safety, Research and Special Programs

Administration of the United States Department of Transportation, in accordance with Section 22 of the International Maritime Dangerous Goods (IMDG) Code.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 31 2002
(DATE)

Address all inquiries to: Associate Administrator for Hazardous
Materials Safety, Research and Special Programs Administration,
Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office.
Photo reproductions and legible reductions of this exemption are
permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S.
Department of Transportation, 400 7th Street, S.W., Washington,
DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM